

EXHIBIT 2
DATE 1/12/2011
HB

Provider Rates Commission

The 2005 Legislature created this commission to advise the Montana Department of Public Health and Human Services (DPHHS) concerning provider services, costs, and reimbursement rates.

The commission is to assist the department in providing a regular, predictable, and equitable mechanism under which rates can be established for contracted services, provided in a community setting, for people who are developmentally disabled, mentally ill, very elderly, or very young. (MCA 53-10-201 (<http://data.opi.state.mt.us/bills/mca/53/10/53-10-201.htm>)).

The commission is made up of providers, consumers or their family members, legislators, and legislative and executive budget and program staff. Members are appointed by the department director for two-year terms, with the first term being staggered between two- and four-year terms.

For more information, contact Gail Briese-Zimmer, DPHHS Office of Planning, Coordination, and Analysis, at (406) 444-9740 or gbriesezimmer@mt.gov (<mailto:gbriesezimmer@mt.gov>).

Meeting minutes

- [September 27, 2010 - Webex \(recordedmeetings/ratescommission09272010.wmv\)](#)
- [April 21, 2010 - Webex \(recordedmeetings/ratescommission20100421.wmv\)](#)
- [March 24, 2009 - Webex \(recordedmeetings/ratescommissionmeeting03242010.wmv\)](#)
- [February 16, 2010 - Audio Recording \(recordedmeetings/ratescommissionmeeting02162010.rm\)](#)
- [December 9, 2009 - Webex \(recordedmeetings/ratescommissionmeeting20091209.wmv\)](#)
- [November 15, 2006 \(meetingminutes/prc111506.pdf\)](#)
- [September 27, 2006 \(meetingminutes/prc092706.pdf\)](#)
- [August 16, 2006 \(meetingminutes/prc081606.pdf\)](#)
- [June 28, 2006 \(meetingminutes/prc062806.pdf\)](#)
- [May 17, 2006 \(meetingminutes/prc051706.pdf\)](#)
- [March 29, 2006 \(meetingminutes/prc03292006minutes.pdf\)](#)
- [February 15, 2006 \(meetingminutes/prc02152006meetingdraftminutes.pdf\)](#)

Page last updated: 10/05/2010

Montana Code Annotated 2009

[Previous Section](#) [MCA Contents](#) [Part Contents](#) [Search](#) [Help](#) [Next Section](#)

53-10-204. Duties of commission on provider rates and services. (1) The commission shall conduct an ongoing review of provider services, costs, and reimbursement rates. The review must be made without regard to the source of funds for reimbursement payments.

(2) The commission shall consult with the director concerning provider services, costs, and reimbursement rates subject to its review but shall make independent determinations of those matters within its authority. The commission shall establish the order in which provider services, costs, and reimbursement rates will be reviewed by the commission and the methodology that the commission will use in its review.

(3) The commission shall take into account the work of other advisory groups or councils working with the department on subjects concerning its authority and make recommendations to the director and appropriate members of those groups or councils concerning the subject and timing of the work of those groups or councils that will assist the commission and those groups or councils to exercise their legal or other authority and achieve their purpose.

(4) In conducting its review, the commission shall also consider:

- (a) the need for the department to limit expenditures to appropriations;
- (b) existing and future contracts with the department;
- (c) state and federal laws, rules, and regulations; and
- (d) the intention of the legislature to live within available revenue.

(5) In reviewing existing reimbursement rates and recommending new or altered reimbursement rates to be paid to providers, the commission shall consider the following factors:

- (a) the level of financial risk taken by a provider in providing services;
- (b) the complexity of the provider's services;
- (c) the capital investment made by the provider;
- (d) the administrative overhead in the provider's business; and
- (e) any other matter affecting the cost of the provider's services.

History: En. Sec. 4, Ch. 520, L. 2005.

Provided by Montana Legislative Services